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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

0480

July 25, 1995

**VIA HAND DELIVERY**

Mr. William F. Caton  
Acting Secretary  
Federal Communications Commission  
1919 M Street, N.W. - Room 222  
Washington, D.C. 20554

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Re: RM-8648 and RM-8653

Dear Mr. Caton:

On behalf of the Digital Microwave Corporation ("DMC"), we are filing an original and seven (7) copies of its Reply Comments in the above-referenced matter.

If there are any questions, please communicate with the undersigned counsel.

Respectfully submitted,

FLETCHER, HEALD & HILDRETH, P.L.C.

*Leonard Robert Raish*

Leonard Robert Raish  
Counsel for Digital Microwave Corporation

LRR:cej  
Enclosures

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BEFORE THE  
**Federal Communications Commission**

WASHINGTON, D.C. 20554

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JUL 25 1995  
FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

In the Matters of	)	
	)	
(1) Petition for Rulemaking To Allocate the	)	RM-8648
5.1 - 5.35 GHz Band and Adopt Service	)	
Rules for a Shared Unlicensed Personal	)	
Radio Network	)	
	)	
(2) Allocation of Spectrum in the 5 GHz	)	RM-8653
Band To Establish a Wireless Component	)	
of the National Information Infrastructure	)	

To: The Commission

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**REPLY COMMENTS OF THE  
DIGITAL MICROWAVE CORPORATION**

The Digital Microwave Corporation ("DMC"), through its attorneys, submits the Reply Comments below on the above cited two Petitions. As stated in its Comments filed on July 10, 1995, DMC, as a matter of principle, supports spectrum allocations to promote development of new telecommunications technologies as well as actions that enable U.S. manufacturers to better compete for export markets.

DMC notes that the Fixed Point-to-Point Communications Section of the Telecommunications Industry Association ("TIA") has filed detailed Reply Comments in this proceeding. DMC is aware of and supports those Reply Comments.

In reviewing the Comments filed in this proceeding, DMC notes a number of the commenters are from public interest groups urging "public access channels" be provided to them. While DMC encourages the use of new technologies as unlicensed public access channels, such uses should be at very low power to avoid mutual interference.

The Apple petition (RM-8653) makes reference to links of 10-15 kilometers. TIA, DMC, and Harris-Farion in their comments pointed out that the 18, 23, and 38 GHz bands are already available for such "short hop" communications and, further, equipments are already in production for these bands. The service links described particularly in RM-8653, where Apple has submitted no compelling reason for its short-hop 10-15 kilometer links to be in the valuable 5 GHz band, could and should be in the higher bands referenced above.

Finally, the Commission should consider how much spectrum needs to be allocated to achieve the purposes of RM-8648 and 8653. Neither of these "RMs" contain justification for the amount of spectrum being sought. One measure could be that since the European HIPERPLAN utilizes 250 MHz of the 5 GHz band -- the same amount as proposed by WINFORUM -- the U.S. allocation could be adjusted to match the European allocation of 5150-5300 MHz.

A review of the comments indicates uncertainties and the need for more information. DMC urges the Commission to continue consideration of the concepts in RM-8648 and RM-8653. For this reason, DMC supports the conclusion of TIA in its

Reply Comments that the Commission proceed to Notice of Inquiry to establish a record on the Apple and WINFORUM proposals.

Respectfully submitted,

DIGITAL MICROWAVE CORPORATION

By: Leonard Robert Raish  
Leonard Robert Raish

Its Attorney

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July 25, 1995

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## **CERTIFICATE OF SERVICE**

I, Chellestine Johnson, a secretary in the law firm of Fletcher, Heald & Hildreth, P.L.C., do hereby certify that copies of the foregoing "Reply Comments" were sent this 25th day of July, 1995, by hand delivery and first-class United States mail, postage prepaid, to:

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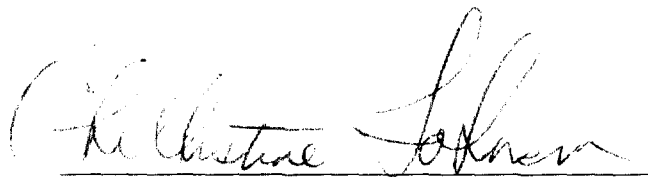
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